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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/764,172

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Susimin Suprapmo

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7590 02/28/2008
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EXAMINER

PENDLETON, DIONNE

ART UNIT

PAPER NUMBER

2627

MAIL DATE

DELIVERY MODE

02/28/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/764,172

Applicant(s)

SUPRAPMO ET AL.

Examiner

Dionne H. Pendleton

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 11 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-3,5,7-12,14-30,32-39 and 41-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-3,5,14-28,39 and 41-45 is/are allowed.
- 6) ☒ Claim(s) 29,30,32 and 34-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The finality of the action mailed 10/10/2007 is withdrawn.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 36 and 37 recite the limitation "the enclosure" in line 2, respectively.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 29, 30, 32, 35 and 38** are rejected under 35 U.S.C. 102(b) as being anticipated by **Pappanikolaou (US 4,168,761)**.

Regarding claim 29, Pappanikolaou teaches an acoustic extension comprising:

A central stem (**see walls which define chamber "36" in figure 4**);
a plurality of columns (**36c, 32b, 36b, 32a, etc.**), generally concentric with the stem;

the plurality of columns being mounted to an outer wall (18), and an inner wall (16) in an alternating and opposed manner to define there between an airflow passage operatively connected to the central stem and the interior, wherein the plurality of columns comprise an intermediate column (32b) mounted to the inner wall (16) and extending towards the outer wall, there being an air gap (50) between a free end of the intermediate column (32b) and the outer wall.

Regarding claim 30, Pappanikolaou teaches an inner column (36c) mounted to the outer wall (18), and extending towards the inner wall (16), there being an air gap (shown) between a free end of the inner column (36c) and the inner wall.

Regarding claim 32, Pappanikolaou teaches an outer column (36b) mounted to the outer wall (18), and extending towards the inner wall (16), there being an air gap (shown) between a free end of the outer column (36b) and the inner wall.

Regarding claim 35, Pappanikolaou teaches that the central stem (see walls which define chamber "36" in figure 4) defines an air volume, the air volume and airflow passage being of a constant acoustic area.

Regarding claim 38, Pappanikolaou teaches that the acoustic extension is selected from the group consisting of: a bass reflex port, a tuned port, a passive radiator, and a concentric loading.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claim 34** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Pappanikolaou (US 4,168,761)** in view of **Takenaka (US 6,078,676)**.

Regarding claims 16 and 34,

Pappanikolaou teaches the invention of claim 30.

Pappanikolaou does not clearly teach that the junctions between columns are curved.

TAKENAKA teaches in **column 2, lines 46-51**, a sound passage provided with smooth curves. It would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Pappanikolaou and Takenaka, providing a smoothly curved juncture between passages, thus avoiding deterioration in sound quality due to undesired resonance and also decreasing the degree of turbulent air current.

Allowable Subject Matter

5. Independent claims 1,8,33 and 39 are allowed, as well as any claim dependent thereon.

Response to Arguments

6. Applicant's arguments, filed 2/5/08 with respect to claims 1,8,33 and 39, have been fully considered and are persuasive.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dionne H. Pendleton whose telephone number is 571-272-7497. The examiner can normally be reached on 10:30-7:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


D. Pendleton


WAYNE YOUNG
SUPERVISORY PATENT EXAMINER